

**CITY OF WOBURN
DECEMBER 5, 2006 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Ciriello	Gately
Denaro	Galvin
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Doherty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE.

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$5,228,010.86 be and is hereby transferred as so stated from General Fund Acct #01013846-468010 \$5,228,010.86 to Stabilization Acct #704049-497100 \$5,228,010.86.

I hereby approve the above: s/Thomas L. McLaughlin, Mayor
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

PUBLIC HEARINGS:

On the matter relative to Tax Classification for the City of Woburn.

On the petition by HPH Realty, LLC, 9 North Maple Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.57b and Section 8.3.2 of the 1985 Woburn Zoning Ordinances, as amended, so as to allow for the parking of commercial vehicles on the property at 3 Oakland Street and the abutting lot identified on Assessors Maps 9-6-2 and 9-6-1. PUBLIC HEARING OPENED.

On the petition by Alderman Scott Galvin concerning the building or buildings located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 434 Main Street, Woburn, Massachusetts for the purposes of determining whether said building or buildings are a public nuisance, a nuisance to the neighborhood,

a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED.

On the petition by Alderman Scott Galvin concerning the building or buildings located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 21 Plympton Street, Woburn, Massachusetts for the purposes of determining whether said building or buildings are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED.

On the petition by Nodraer Realty Corporation, 120 Commerce Way, Woburn, Massachusetts 01801 to further amend the Zoning Map of the City of Woburn as follows: By amending the present zoning district of a certain parcel of land containing approximately 3.42 acres of land at 120 Commerce Way identified on Woburn Assessors' Map 10, Block 01, Lot 03 from the IP-2 zoning district to the B-I zoning district. PUBLIC HEARING OPENED. A communication dated December 4, 2006 was received from Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Zoning Map Amendments for 120 Commerce Way, Woburn, MA

Dear Mr. Campbell:

Due to the fact that Ed Tarallo, Planning Director, has requested some traffic data in connection with this Petition which data will not be available by Tuesday, December 5, 2006, I respectfully request that the public hearing on this matter be further continued to the City Council meeting scheduled for January 2, 2007. If you need further information, please contact me. Thank you.

Sincerely, s/Joseph R. Tarby III

On the petition by National Development Acquisitions LLC, c/o National Development of New England, 2310 Washington Street, Newton Lower Falls, Massachusetts 02462 to further amend the Zoning Map of the City of Woburn as follows: By amending the present zoning district of a certain parcel of land containing approximately 5.00 acres of land at 112 Commerce Way identified on Woburn Assessors' Map 10, Block 01, Lot 02 from the IP-2 zoning district to the B-I zoning district____. PUBLIC HEARING OPENED. A communication dated December 4, 2006 was received from Attorney

Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Zoning Map Amendments for 112 Commerce Way, Woburn, MA

Dear Mr. Campbell:

Due to the fact that Ed Tarallo, Planning Director, has requested some traffic data in connection with this Petition which data will not be available by Tuesday, December 5, 2006, I respectfully request that the public hearing on this matter be further continued to the City Council meeting scheduled for January 2, 2007. If you need further information, please contact me. Thank you.

Sincerely, s/Joseph R. Tarby III

COMMITTEE REPORTS:

FINANCE:

On the Order to appropriate the sum of \$30,000.00 from Free Cash to Woburn Redevelopment Authority, committee report was received "ought to pass".

On the Order to transfer the sum of \$3,675.00 from various Elections accounts to Election and Registration Workers account, committee report was received "ought to pass".

POLICE AND LICENSES:

On the petitions by Enterprise Rent-A-Car Company of Boston, Inc.; Joseph P. Mahoney Co., Inc.; and Ollies Service Center for renewal of Second Class Motor Vehicle Sales Licenses, , committee report was received "ought to pass".

On the petition by Woburn Truck and Auto, Inc. for renewal of First Class Motor Vehicle Sales License, , committee report was received "ought to pass".

LIAISON:

On the request of Cherylann Silva, committee report was received as follows "1. To make sure that the Human Resources Director contacts Cherylann Silva, 2. That the Human Resources Director schedule an appointment to meet with Cherylann Silva personally, and, 3. That the Human Resources Director follow up with the City Council on the

progress of employment with the City of Woburn (not on confidential matters) for Cherylanne Silva.”

CITIZEN’S PARTICIPATION: None.

NEW PETITIONS:

Petition for renewal of First Class Motor Vehicle Sales License by R.C. Olsen Cadillac, Inc., 199-201 Cambridge Road.

Petitions for renewal of Second Class Motor Vehicle Sales License by EC Inc. dba XPress Fuel, 505 Main Street; William R. Garvey dba Garvey’s Auto Repair, 289 Salem Street; Larade’s Collision Repair Center, Inc., 20 High Street; and Wassim (Sam) Nicolas dba Woburn Square Mobil.

Petition by Marc Dionne dba Silver Cue Billiards, 435 Main Street for renewal of Billiard Table License.

Petition by Krystal New England, LLC, 399 Washington Street for a special permit to allow auto sales and for a First Class Motor Vehicles Sales License at 399 Washington Street.

Petition by Arvind (Andy) Patel and Ramelabbe A. Patel, 19 Murray Road, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.46b of the 1985 Woburn Zoning Ordinances, as amended, to convert the current full service gas station to a self-service gas station, and to the extent applicable, including a conversion of the existing structure to a food mart/convenience store.

A Petition to Amend Zoning Map of the City of Woburn was by Paul A. Medeiros, Kathleen Bailey, Kevin Franey, Beverly A. Prifti, Theodore W. Prifti, David Loftus, Donna Loftus, William P. Connors, Susan Connors and Theron Rose was received seeking to amend the Zoning Map of the City of Woburn by changing the zoning district for the public portion of Tower Park Drive and 369 Washington Street, Woburn described on Assessors Map 26, Block 04, Lot 06 described as approximately 12.6 acres of land at 369 Washington Street and the public portion of Tower Park Drive from the B-I zoning district to the O-P zoning district.

COMMUNICATIONS AND REPORTS:

A communication dated November 28, 2006 was received from Charles L. O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

In accordance with Massachusetts General Laws Chapter 90, Section 20A½, I am submitting a report to you on the parking violations in the City of Woburn for the period ending October 2006: number of tickets issued 1,499, number of tickets paid 1,366, number of hearings scheduled 703, number of tickets voided or dismissed 168, number of tickets outstanding 306, number of tickets issued by motorcycle officers 0, total dollar amount collected and turned into the Treasurer's Office \$59,539.80. There exists a backlog of 4,837 tickets for 1982 through 2005. Demands will be sent out until all tickets have been cleared. Parking violations turned over to Handicap Commission to date \$12,100.00.

Respectfully submitted, s/Charles L. O'Connor, Parking Clerk City of Woburn

A communication dated November 29, 2006 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of Director's Report for November and the minutes of the November Meeting of the Council on Aging.

A communication dated November 27, 2006 was received from Joseph E. Connarton, Executive Director, Massachusetts Public Employee Retirement Administration Commission, 5 Middlesex Avenue, Third Floor, Somerville, Massachusetts 02145 advised that the amount to be appropriated by the City of Woburn for the retirement system for Fiscal Year 2008 is \$4,259,000.00.

A communication from Don M. Hahs, National President, Brotherhood of Locomotive Engineers and Trainmen, 1370 Ontario Street, Mezzanine, Cleveland, Ohio 44113-1702 relative to New England Transrail, LLC dba Wilmington & Woburn Terminal Railway construction, acquisition and operation exemption.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED Be it ordained by the City Council of the City of Woburn that the Zoning Map of the City of Woburn shall be further amended as follows:

By amending the present zoning district of the following parcel of land located in the City of Woburn from the B-I zoning district to the O-P zoning district: the public portion of Tower Park Drive and 369 Washington Street as shown on the map dated January 1, 2006 and received in City Council on August 15, 2006.

s/Alderman Mercer-Bruen and
President Doherty

Motion made and 2nd to ADJOURN